Manitoba

ANNUAL REPORT

1984

The Elections Commission

85-5521/

The Fourth Annual Report of The Elections Commission

Administering
The Elections Finances Act
For the Period
1 January 1984 to 31 December 1984

Presented to the Legislature
Pursuant to Section 10
of The Elections Finances Act.

The Elections Commission

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Walter L. Ritchie, Q.C.
Chairman

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Shirley Lord
Emily C. Lyons
Marva J. Smith
James P. Stewart
Richard T. Willis
Members

•

Richard D. Balasko
Secretary

April 1985

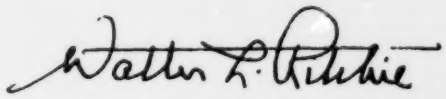
The Honourable D. James Walding
Speaker of the Legislative Assembly
Room 244
Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Speaker:

I have the honour to submit the Fourth Annual Report of The Elections Commission covering the period 1 January 1984 to 31 December 1984.

This report is submitted pursuant to Section 10 of The Elections Finances Act.

Yours respectfully,



Walter L. Ritchie
Chairman.

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I Introduction

On 18 August 1983, Bill 48, The Elections Finances Act, received third reading and royal assent. On 1 January 1985, The Elections Finances Act, being chapter E32 of the Continuing Consolidation of the Statutes of Manitoba, was proclaimed in force and the previous Elections Finances Act (chapter 68 S.M. 1980) was repealed.

Proclamation of Bill 48 introduces a number of significant new provisions with respect to elections finances. Among the changes under The Elections Finances Act proclaimed on 1 January 1985 is that the Chief Electoral Officer replaces the Elections Commission as the agency responsible for administration and enforcement of the Act. The Chief Electoral Officer will be aided in his task by the creation of a new advisory committee of representatives appointed by each registered political party.

During 1984, and in anticipation of the proclamation of Bill 48, the focus of Commission activities consisted of the receipt and examination of annual statements and returns of political parties and administration of The Elections Finances Act with respect to the 2 October 1984 by-election in the electoral division of Fort Garry. Also during this period, the Commission accepted an application for registration on behalf of the Western Canada Concept (Manitoba).

In this report, "the Act" is used to refer to The Elections Finances Act S.M. 1980, c.68.

II Composition of the Elections Commission

The Elections Commission was established pursuant to subsection 3 (1) of the Act. In accordance with subsection 3 (2) of the Act, the Commission is comprised of the Chief Electoral Officer, a chairman appointed by the Lieutenant Governor in Council and 2 persons representing each registered political party of 4 or more members in the Assembly.

Since publication of The Third Annual Report there has been one change in the membership of the Commission. On 19 April 1984, Commission member Shirley Lord was appointed to fill the vacancy created when John Walsh resigned from the Commission effective 14 November 1983. Ms. Lord served as a member of the Commission until August 1984 at which time she resigned in order to be nominated as a candidate in the 2 October 1984 by-election in the electoral division of Fort Garry. Ms. Lord was subsequently reappointed to the Commission on 3 October 1984.

During the period covered by this report, the Commission has met twice as follows:

Table 1 Meetings of the Elections Commission

Meeting #	Date
25	8 March 1984
26	11 July 1984

III Powers and Duties of the Commission

Pursuant to section 9 of the Act, the Elections Commission is responsible to prescribe forms for use under the Act, to prepare and distribute necessary guidelines, to examine statements and returns and generally to assist political parties and candidates and their chief financial officers in complying with provisions of the Act. The Commission is also invested with the authority to initiate prosecutions for offences under both The Elections Finances Act (section 52) and The Elections Act (section 168).

Finally, the Commission is charged to prepare annually a report upon its affairs and activities and send a copy to the Speaker for tabling in the Assembly.

IV Political Parties

1. Registrations

Registration of a political party is provided for in Section 14 of the Act. Once registered, a political party is authorized to issue receipts for income tax purposes. The name of a registered political party will also be printed on the ballot together with the name of the candidate endorsed by the registered party in that electoral division.

To 31 December 1984, 6 political parties are registered with the Commission. The registered names of these political parties, their respective dates of registration and assigned registration numbers follow:

Table 2 Registered Political Parties

Political Party	Date of Registration	Registration Number
The Manitoba New Democratic Party	17 November 1980	P-8001
The Progressive Conservative Party of Manitoba	25 November 1980	P-8002
The Liberal Party in Manitoba	12 December 1980	P-8003
The Manitoba Progressive Party	24 April 1981	P-8104
The Communist Party of Canada (Manitoba Committee)	10 September 1981	P-8105
The Western Canada Concept (Manitoba)	21 June 1984	P-8406

As a part of the application for registration, the Western Canada Concept (Manitoba) submitted a petition signed by at least 2,500 persons who were eligible voters during the most recent provincial general election. The Commission accepted the application for registration at its meeting of 11 July 1984. The effective date of registration of the Western Canada Concept (Manitoba) was 21 June 1984, the date on which the complete application for registration was filed with the Commission.

During the period covered by this report, five additional individuals or organizations requested and received the necessary documents in order to file an application for registration of a political party. To date, all 5 applications are outstanding.

2. Chief Financial Officers

Subsection 39(1) of the Act requires that the leader of each political party shall appoint a chief financial officer of the political party. The chief financial officer is responsible for the financial affairs of the political party to ensure compliance with the Act. During 1984, two new chief financial officers were appointed. On 5 January 1984, John Walsh replaced Lorna Leader as chief financial officer of the Manitoba New Democratic Party. On 20 June 1984, Madeline Blok replaced acting financial officer, Fred Cameron, as chief financial officer of the Western Canada Concept (Manitoba). A list of all chief financial officers together with their date of appointment and respective political party follows:

Table 3 Chief Financial Officers of Political Parties

Political Party	Chief Financial Officer	Date of Appointment
The Manitoba New Democratic Party	John Walsh	5 January 1984
The Progressive Conservative Party of Manitoba	John G. McFarlane	21 November 1980
The Liberal Party in Manitoba	Harvey Zimmerman	12 December 1980
The Manitoba Progressive Party	Murdock MacKay	22 December 1983
The Communist Party of Canada (Manitoba Committee)	Constantine Kostaniuk	10 September 1981
The Western Canada Concept (Manitoba)	Madeline Blok	20 June 1984

3. Annual Statements and Returns for Contributions

Political parties are required by the Act to submit annually an audited statement and a return for contributions. The statement and return are to be filed with the Commission within three months after the end of the fiscal year of the political party. The audited statement submitted by each political party covers their respective fiscal year as set out below.

Table 4 Fiscal Year End of Political Parties

Political Party	Fiscal Year End
The Manitoba New Democratic Party	31 December 1983
The Progressive Conservative Party of Manitoba	31 August 1984
The Liberal Party in Manitoba	31 December 1983
The Manitoba Progressive Party	31 December 1983
The Communist Party of Canada, (Manitoba Committee)	31 December 1983
The Western Canada Concept (Manitoba)	31 December 1983

A summary of the returns for contributions filed by each political party is provided below in Table 5.

Table 5 Summary of Returns for Contributions by Political Party

	Value of Contributions			
Political Party	Equal to or in Excess of $250.00 ($)	$25.00 or More, but Less than $250.00 ($)	Less than $25.00 ($)	Total Contributions ($)
The Manitoba New Democratic Party	328,269.34	356,834.62	49,592.04	734,696.00
The Progressive Conservative Party of Manitoba	412,827.00	227,286.00	288,942.00	929,055.00
The Liberal Party in Manitoba	57,305.00	52,075.50	2,854.00	112,234.50
The Manitoba Progressive Party	1,400.00	1,414.28	1,965.70	4,779.98
The Communist Party of Canada (Manitoba Committee)	25,945.02	1,065.00	1,699.25	28,709.27
The Western Canada Concept (Manitoba)	Nil	445.00	1,711.70	2,156.70
Total	825,746.36	639,120.40	346,764.69	1,811,631.45

As part of the return for contributions each chief financial officer also filed a list disclosing the names, addresses and amounts contributed by each person, corporation or trade union whose aggregate contributions during the period equalled or exceeded $250.00. A brief summary of these lists of contributors to political parties during the fiscal year covered by this report is provided below in Table 6.

Table 6 Summary of Contributions to Political Parties from a Single Source Equal to or Exceeding $250.00

Political Party	Aggregate Contributions Equal to or in Excess of $250	Number of Contributors	Average ($)
The Manitoba New Democratic Party	328,269.34	534	614.74
The Progressive Conservative Party of Manitoba	412,827.00	527	783.35
The Liberal Party in Manitoba	57,305.00	131	437.44
The Manitoba Progressive Party	1,400.00	3	466.67
The Communist Party of Canada (Manitoba Committee)	25,945.02	6	4,324.17*
The Western Canada Concept (Manitoba)	NIL	N/A	N/A
	825,746.36	1,201	687.55

*Includes a single contribution of $23,845.02. The average contribution for the remaining $2,100.00 is $420.00.

Copies of the annual audited statements and returns for contributions, including the lists of contributors of $250.00 or greater, for each political party are available for public inspection at the office of the Chief Electoral Officer. Caution must be exercised however, when comparing the statements and returns of political parties because of their use of different fiscal year ends, different accounting methods and different procedures of handling income and expenses.

4. 2 October 1984 Fort Garry By-election

Where an election takes place during the period covered by an annual statement of a political party, the chief financial officer is also required to file a return for advertising expenditures. The return sets out the details of all expenditures made by or on behalf of the political party for the purpose of advertising by publication, broadcast or display during the election period. Although the Fort Garry by-election occurred during the period covered by this report, the returns for contributions are not required to be filed until three months following the fiscal year end of each political party, that is, until 1985. As such, the returns for advertising expenditures respecting the 2 October 1984 by-election will be reviewed in a subsequent report.

V Candidates — 2 October 1984 Fort Garry By-Election

1. Endorsation and Registration

The resignation of Mr. L. R. (Bud) Sherman on 5 August 1984 resulted in a vacancy in the electoral division of Fort Garry. On 28 August 1984, pursuant to an Order in Council signed the same day, a Writ of Election was issued by the Chief Electoral Officer. The Writ of Election ordered that an election be held in the electoral division of Fort Garry on 2 October 1984.

Five candidates were nominated in the Fort Garry by-election in accordance with The Elections Act. Each of the five candidates was endorsed by a registered political party. A list of the candidates together with their political party endorsation follows in Table 7.

Two of the five candidates, namely Fred Cameron and Sharon Carstairs, made application in the prescribed form and were accordingly registered under The Elections Finances Act. Once registered, candidates were able to issue receipts for income tax purposes for contributions received. The Commission provided registered candidates with tax receipt forms upon request. Registered political parties were required to prepare and print their own receipts in a prescribed form.

2. Statements and Returns

Chief financial officers of all candidates, whether registered or not, are required to file a financial statement and return for contributions for the campaign period. The campaign period for the 2 October 1984 Fort Garry by-election began on 28 August 1984 (issue of the Writ of Election) and ended on 2 December 1984 (two months after polling day).

All candidates' chief financial officers were also required to file a return for advertising expenditures made by or on behalf of the candidate for advertising by publication, broadcast or display during the election period. The election period for the Fort Garry by-election commenced on 28 August 1984 and ended on polling day 2 October 1984.

Table 7 Candidates in the 2 October 1984 By-Election

Candidate	Political Party Endorsation
Charlie Birt	The Progressive Conservative Party of Manitoba
Fred Cameron	The Western Canada Concept (Manitoba)
Sharon Carstairs	The Liberal Party in Manitoba
Sid Green	The Manitoba Progressive Party
Shirley Lord	The Manitoba New Democratic Party

The statutory deadline for filing the campaign statement and returns for contributions and for advertising expenditures is 2 January 1985, one month after the conclusion of the campaign period. Thus candidates' statements and returns, just as with the return for advertising expenditures by political parties, will be examined in the 1985 annual report.

VI Manitoba Tax Credit Program

Proclamation of The Elections Finances Act in 1980 was accompanied by changes to The Income Tax Act (Manitoba) which implemented the tax credit system for contributions to registered political parties and registered candidates. Table 8 indicates the total value of tax credits as known to date.

VII Public Information

Annual statements and returns for contributions (including lists of contributions of $250.00 or more during a fiscal year) and returns for advertising expenditures since 1980 are maintained at the office of the Chief Electoral Officer. Statements for the campaign period and returns for contributions and for advertising expenditures filed on behalf of candidates in the 17 November 1981 general election and the 2 October 1984 Fort Garry by-election are likewise maintained. In addition several statutory records and registers identify provincial political parties and candidates, registered political parties and registered candidates and chief and deputy chief financial officers of political parties and candidates.

Table 8* Total Value of Provincial Tax Credits Claimed for Contributions to Registered Political Parties and Registered Candidates

	Taxation Year				
	1980 ($)	1981 ($)	1982 ($)	1983 ($)	Total ($)
Credits Claimed on Individual Returns	118,130.00	635,600.00	293,500.00	418,700.00	1,465,930.00
Credits Claimed on Corporate Returns	7,893.00	51,900.00	54,200.00	38,300.00	152,293.00
TOTALS	126,023.00	687,500.00	347,700.00	457,000.00	1,618,223.00

*Figures for taxation year 1982 have been revised taking into account late returns and re-assessments since the period covered by the last report. The current figures — particularly with respect to the 1983 taxation year — are subject to some further revision due to additional late returns and re-assessments.

The Commission acknowledges the assistance of the Manitoba Department of Finance for these figures.

All statements and returns and registers and records are public information and open to inspection. Arrangements may also be made for copies of statements and returns or copies of any entry in a register. The office of the Chief Electoral Officer is located in **Room 302, 379 Broadway, Winnipeg, Manitoba, R3C 0T9 or telephone (204) 945-3225.**

VIII Summary

During the period covered by this report, Commission activity has included the receipt and examination of annual statements and returns of political parties and campaign statements and returns on behalf of candidates in the 1984 Fort Garry by-election. The Commission also registered the Western Canada Concept (Manitoba) as well as two candidates in the by-election in Fort Garry. Throughout 1984 the Commission has operated in anticipation of the proclamation of Bill 48, The Elections Finances Act. During this period the Commission has offered its assistance to the Chief Electoral Officer in preparation of the transfer of the responsibility for elections finances from the Commission to the Chief Electoral Officer as set out in Bill 48. On 1 January 1985, Bill 48 was proclaimed in force.

The Commission again wishes to recognize the responsible efforts of all chief financial officers and other representatives of political parties and candidates since proclamation of the Act in 1980. Effective administration of the Act was enhanced by the sincere and co-operative manner demonstrated by all. Finally, the Commission wishes to express its appreciation to the interested citizens of Manitoba who have telephoned, written or visited the office of the Commission and to encourage others in future to make use of the public information on file.

All of which is respectfully submitted and dated the 23rd day of April 1985.

Walter L. Ritchie
Chairman

Shirley Lord

Emily C. Lyons

Marva J. Smith

James P. Stewart

Richard T. Willis